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Please type a plus sign (+) inside this box → [] Approved for use through 10/31/2002. OMB 0651-0032 U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number

UTILITY PATENT APPLICATION TRANSMITTAL Attorney Docket No. 38-21 (15678)B First Inventor Conner Title PLANT REGULATORY SEQUENCES FOR SELECTIVE CONTROL OF GENE EXPRESSION Express Mail Label No. EF354023759US

APPLICATION ELEMENTS ADDRESS TO: Assistant Commissioner for Patents Box Patent Application Washington, DC 20231 See MPEP chapter 600 concerning utility patent application contents. 1. [x] Fee Transmittal Form... 2. [] Applicant claims small entity status... 3. [x] Specification [Total Pages 122]... 4. [x] Drawing(s) (35 U.S.C. 113) [Total Sheets 2]... 5. Oath or Declaration [Total Pages 3]... 6. [] Application Data Sheet... 7. [] CD-ROM or CD-R... 8. Nucleotide and/or Amino Acid Sequence Submission... 9. [x] Assignment Papers... 10. [] 37 CFR 3.73(b) Statement... 11. [] English Translation Document... 12. [] Information Disclosure Statement... 13. [] Preliminary Amendment... 14. [x] Return Receipt Postcard... 15. [] Certified Copy of Priority Document... 16. [] Nonpublication Request... 17. [] Other...

18. If a CONTINUING APPLICATION, check appropriate box, and supply the requisite information below and in a preliminary amendment, or in an Application Data Sheet under 37 CFR 1.76: [] Continuation [] Divisional [] Continuation-in-part (CIP) of prior application No.: Examiner Group Art Unit: For CONTINUATION OR DIVISIONAL APPS only: The entire disclosure of the prior application, from which an oath or declaration is supplied under Box 5b, is considered a part of the disclosure of the accompanying continuation or divisional application and is hereby incorporated by reference. The incorporation can only be relied upon when a portion has been inadvertently omitted from the submitted application parts.

19. CORRESPONDENCE ADDRESS [x] Customer Number or Bar Code Label or [] Correspondence address below Name Gail Wuellner 27161 Address Monsanto Technology, LLC 800 North Lindbergh City St. Louis State Missouri Zip Code 63167 Country United States Telephone 314.594.5132 Fax 314.694.9009

Name (Print/Type) Grace Bonner Registration No. (Attorney/Agent) 32,963 Signature Date 5/1/01

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<h1 style="margin: 0;">FEE TRANSMITTAL</h1> <h2 style="margin: 0;">for FY 2001</h2> <p style="margin: 5px 0 0 40px;">Patent fees are subject to annual revision.</p>		Complete if Known	
TOTAL AMOUNT OF PAYMENT (\$) 1196.00		Application Number	
		Filing Date May 1, 2001	
		First Named Inventor Conner	
		Examiner Name	
		Group Art Unit	
		Attorney Docket No. 38-21 (15678)B	

METHOD OF PAYMENT	FEE CALCULATION (continued)																																																																																																																																																																																							
<p>1. <input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge indicated fees and credit any overpayments to:</p> <p>Deposit Account Number 134125</p> <p>Deposit Account Name Monsanto Deposit Account</p> <p><input checked="" type="checkbox"/> Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17</p> <p><input type="checkbox"/> Applicant claims small entity status. See 37 CFR 1.27</p> <p>2. <input type="checkbox"/> Payment Enclosed:</p> <p><input type="checkbox"/> Check <input type="checkbox"/> Credit card <input type="checkbox"/> Money Order <input type="checkbox"/> Other</p>	<p>3. ADDITIONAL FEES</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th>Fee Code</th> <th>Large Entity (\$)</th> <th>Small Entity (\$)</th> <th>Fee Description</th> <th>Fee Paid</th> </tr> </thead> <tbody> <tr><td>105</td><td>130</td><td>205</td><td>65</td><td>Surcharge - late filing fee or oath</td><td></td></tr> <tr><td>127</td><td>50</td><td>227</td><td>25</td><td>Surcharge - late provisional filing fee or cover sheet</td><td></td></tr> <tr><td>139</td><td>130</td><td>139</td><td>130</td><td>Non-English specification</td><td></td></tr> <tr><td>147</td><td>2,520</td><td>147</td><td>2,520</td><td>For filing a request for <i>ex parte</i> reexamination</td><td></td></tr> <tr><td>112</td><td>920*</td><td>112</td><td>920*</td><td>Requesting publication of SIR prior to Examiner action</td><td></td></tr> <tr><td>113</td><td>1,840*</td><td>113</td><td>1,840*</td><td>Requesting publication of SIR after Examiner action</td><td></td></tr> <tr><td>115</td><td>110</td><td>215</td><td>55</td><td>Extension for reply within first month</td><td></td></tr> <tr><td>116</td><td>390</td><td>216</td><td>195</td><td>Extension for reply within second month</td><td></td></tr> <tr><td>117</td><td>890</td><td>217</td><td>445</td><td>Extension for reply within third month</td><td></td></tr> <tr><td>118</td><td>1,390</td><td>218</td><td>695</td><td>Extension for reply within fourth month</td><td></td></tr> <tr><td>128</td><td>1,890</td><td>228</td><td>945</td><td>Extension for reply within fifth month</td><td></td></tr> <tr><td>119</td><td>310</td><td>219</td><td>155</td><td>Notice of Appeal</td><td></td></tr> <tr><td>120</td><td>310</td><td>220</td><td>155</td><td>Filing a brief in support of an appeal</td><td></td></tr> <tr><td>121</td><td>270</td><td>221</td><td>135</td><td>Request for oral hearing</td><td></td></tr> <tr><td>138</td><td>1,510</td><td>138</td><td>1,510</td><td>Petition to institute a public use proceeding</td><td></td></tr> <tr><td>140</td><td>110</td><td>240</td><td>55</td><td>Petition to revive - unavoidable</td><td></td></tr> <tr><td>141</td><td>1,240</td><td>241</td><td>620</td><td>Petition to revive - unintentional</td><td></td></tr> <tr><td>142</td><td>1,240</td><td>242</td><td>620</td><td>Utility issue fee (or reissue)</td><td></td></tr> <tr><td>143</td><td>440</td><td>243</td><td>220</td><td>Design issue fee</td><td></td></tr> <tr><td>144</td><td>600</td><td>244</td><td>300</td><td>Plant issue fee</td><td></td></tr> <tr><td>122</td><td>130</td><td>122</td><td>130</td><td>Petitions to the Commissioner</td><td></td></tr> <tr><td>123</td><td>50</td><td>123</td><td>50</td><td>Processing fee under 37 CFR 1.17(q)</td><td></td></tr> <tr><td>126</td><td>180</td><td>126</td><td>180</td><td>Submission of Information Disclosure Stmt</td><td></td></tr> <tr><td>581</td><td>40</td><td>581</td><td>40</td><td>Recording each patent assignment per property (times number of properties)</td><td>40.00</td></tr> <tr><td>146</td><td>710</td><td>246</td><td>355</td><td>Filing a submission after final rejection (37 CFR § 1.129(a))</td><td></td></tr> <tr><td>149</td><td>710</td><td>249</td><td>355</td><td>For each additional invention to be examined (37 CFR § 1.129(b))</td><td></td></tr> <tr><td>179</td><td>710</td><td>279</td><td>355</td><td>Request for Continued Examination (RCE)</td><td></td></tr> <tr><td>169</td><td>900</td><td>169</td><td>900</td><td>Request for expedited examination of a design application</td><td></td></tr> <tr><td colspan="5">Other fee (specify) _____</td></tr> <tr> <td colspan="5" style="text-align: right;"> SUBTOTAL (3) (\$)40.00 </td> </tr> </tbody> </table>	Fee Code	Large Entity (\$)	Small Entity (\$)	Fee Description	Fee Paid	105	130	205	65	Surcharge - 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SUBMITTED BY		Complete (if applicable)	
Name (Print/Type)	Grace Bonner	Registration No. (Attorney/Agent)	32,963
Signature	<i>Grace Bonner</i>	Telephone	314.694.5132
		Date	5/1/01

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of Conner et al.

Serial No.: To Be Assigned

Filed: Herewith

For: Plant Regulatory Sequences For Selective Control Of Gene Expression

Examiner: To Be Assigned

May 1, 2001

STATEMENT UNDER 37 C.F.R. 1.821(f)

TO THE COMMISSIONER OF PATENTS AND TRADEMARKS

Sir:

In accordance with 37 C.F.R. 1.821(f), I hereby state that the information recorded in computer readable form is identical to the written sequence listing submitted in support of the present application.

Respectfully submitted,



Haisheng Lu
Monsanto Technology, LLC

(636) 737-6909

Express Mail # EF354023759US

093493-0300 "E0634860"